

APPROVED: Meeting No. 24-89

ADOPTED: *[Signature]*

MAYOR AND COUNCIL
ROCKVILLE, MARYLAND
Meeting No. 20-89

May 8, 1989

The Mayor and Council of Rockville convened in General Session in the Council Chamber, Rockville City Hall, Maryland Avenue at Vinson Street, Rockville, Maryland, on Monday, May 8, 1989, at 7:30 p.m.

PRESENT

Mayor Douglas M. Duncan

Councilmember James F. Coyle

Councilmember Viola Hovsepan

Councilmember David Robbins

ABSENT

Councilmember Stephen Abrams (Travel Leave)

The Mayor in the Chair.

In attendance: City Manager Bruce Romer, City Clerk Sharon Gran and City Attorney Paul Glasgow.

Re: City Manager's Report

1. Despite the cool weather, there was a good turnout at Rockville Day '89 and everyone appeared to have a good time. The planning for this event was exceptional, and the Recreation and Parks Department staff is to be congratulated.

2. The Annual Report of the Washington Metropolitan Council of Governments was recently received and included a report of each community specifying services we receive as participants. The services the City receives are significant in light of the dues we pay.

3. The new "Celebrate Rockville" banners were displayed at Rockville Day and will replace the current banners in Town Center this week.

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4. On Tuesday, May 9, at the Chamber of Commerce luncheon, Mayor Duncan will give his State of the City address, and the Chamber's Scholarship Foundation will be awarding the 1989 scholarships.

5. At the end of last week, the City sprayed for gypsy moths covering approximately 1300 acres. The proper amount of control was applied, and the treatment program was successful.

6. Last week, during National Drinking Water Week, 60 people toured the Water Treatment Plant.

7. The fifth week of the recycling program has been completed. The costs of operating this program are now \$1,150 per week and the landfill costs avoided total \$2,020; thus, we have now reached the point where the costs avoided exceed the costs incurred for the program. This savings represents a tribute to the citizens of Rockville.

8. Many of the students participating in Student Government Days are observing here tonight, and they will be presenting their report to the Mayor and Council on May 22, 1989.

Re: Presentation of Proclamation of
Rockville Older Americans Month, May
1989

Proclamation No. 6-89

By a unanimous vote of the Mayor and Council, May was declared Older Americans Month in the City of Rockville. Mayor Duncan read Proclamation No. 6-89, the full text of which can be found in Proclamation File No. 4 of the Mayor and Council. Rosalie Campbell, Chairperson of Rockville Seniors, Inc., and James Henry, Chairperson of the Senior Citizens Commission, accepted the proclamation.

Mr. Henry was also recognized as the grand prize essay winner of the "Why Maryland is Beautiful to Me" Contest and was presented with an engraved pewter cup. At the Mayor's request, Mr. Henry read his prize-winning essay.

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Re: Presentation of Proclamation
commemorating May 29, 1989, Memorial
Day, as Rockville Poppy Day

Proclamation No. 7-89

By a unanimous vote of the Mayor and Council, May 29, 1989, Memorial Day, was declared "Rockville Poppy Day." Councilmember Robbins read Proclamation No. 7-89, the full text of which can be found in Proclamation File No. 4 of the Mayor and Council, which was presented to Marilyn Rykoskey from the Ladies' Auxiliary, American Legion Post #86.

Sara Keller, the 1989 Poppy Girl, was presented with a Certificate of Recognition by the Mayor and Council.

Re: Recognition of the "Odyssey of the
Mind" team from Richard Montgomery
High School

The Mayor and Council recognized Richard Montgomery High School's "Odyssey of the Mind" team members and their coach, Robert Hines. The following team members were presented with Certificates of Recognition for their outstanding performances in the 1989 state and regional competition: Jon Shulman, Katie Harr, Janet Wang, Mike Sepanik, Andrew Dickson, Josh Burgin, Biren Patel, Chol Ho, Larry Ho, Harrison Le, Scott Levy and Jon Sushinsky.

Re: Presentation of Proclamation
recognizing the Twinbrook Citizens
Association's 40th anniversary

Proclamation No. 8-89

By a unanimous vote of the Mayor and Council, June 20, 1989, was designated as Twinbrook Day in recognition of the Twinbrook Citizens Association's 40th Anniversary. Councilmember Hovsepien read Proclamation No. 8-89, the full text of which can be found in Proclamation File No. 4 of the Mayor and Council. The Twinbrook Citizens' Association is the city's oldest, continuously active civic association. Accepting the proclamation

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was John Tyner, President of the Association. Mr. Tyner noted that five Mayors and 11 Councilmembers either started out in Twinbrook or lived there during their term.

Re: Citizens' Forum

At this time, the Mayor opened the meeting to any citizen who wished to address the Mayor and Council.

1. Raymond Watts, 2264 Glenmore Terrace, requested that the Mayor and Council demonstrate their support of the National Chamber Orchestra during their budget deliberations. He stated that the National Chamber Orchestra is a professional organization which depends upon subsidies for its existence, noting that the performing arts can't make it on ticket sales alone.

There being no other citizen wishing to be heard, the Mayor closed the Citizens' Forum portion of the meeting.

Re: Presentation of Proclamation for
Rockville Historic Preservation Week,
May 14-20, 1989.

Proclamation No. 9-89

By a unanimous vote of the Mayor and Council, May 14-20, 1989, was designated as Historic Preservation Week in the City of Rockville. "Look Homeward, America" is the theme for National Historic Preservation Week 1989, cosponsored by the National Trust for Historic Preservation and Peerless Rockville Historic Preservation, Ltd. Mayor Duncan read Proclamation No. 9-89, the full text of which can be found in Proclamation File No. 4 of the Mayor and Council.

Following the presentation of the proclamation, Peerless Rockville's 11th Annual Awards for Historic Preservation were presented by Charles Burroughs. The award recipients were: Investment Properties, Inc. (C.M. Whalen) and Zinser and Dunn Associates (Barry Dunn, architect) for One Church Street; and Rockville United Methodist Church (Rev. William Farrady) and Bob Ekman for the Daisy Magruder House, 114 W. Montgomery Avenue.

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Re: Presentation by Montgomery College
on 'The Institute for Technical
Education'

Dr. Antoinette Hastings, Provost, Rockville Campus, Montgomery College, opened the presentation noting the severe shortage of technicians and skilled laborers in Montgomery County and the need to meet the demand for this manpower in the future. Susan Gell, Instructional Dean, and John McLean, Capital Planning Manager, presented additional information on both the concept of the state-of-the-art facility and the program itself. They noted that the County Executive and County Council are in the process of approving a budget of \$6.7 million for this project, \$3.4 million of which must be raised by the college.

Councilmember Coyle offered his congratulations to Dr. Hastings on this great addition to the college and the community. In response to his question regarding the need for support from the business community, Dr. Hastings noted that the business community has been active all along and with the college every step of the way. She further noted that they need the support of the Mayor and Council in theory, if not in dollars. Councilmember Coyle asked if the Economic Development Council had been involved in this project at all, and Dr. Hastings responded no. Mayor Duncan stated that the City will have them get in touch with the college.

Councilmember Robbins offered his congratulations and noted the influx of contributions already received. Although they have not yet moved into the capital campaign phase, Ms. Gell stated that \$800,000 has been received from the private sector. Mayor Duncan asked that the college let the Mayor and Council know what they can do to help.

Re: Approval of Minutes

Upon motion of Councilmember Hovsepian, duly seconded and unanimously passed, the minutes of Meeting No. 15-89 (April 11, 1989) were unanimously approved as written.

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Upon motion of Councilmember Robbins, duly seconded and unanimously passed, the minutes of Meeting No. 16-89 (April 18, 1989) were unanimously approved as written.

Upon motion of Councilmember Hovsepien, duly seconded and passed by a vote of 3-0, the minutes of Meeting No. 17-89 (April 24, 1989) were approved as written. Councilmember Robbins abstained from the vote since he had not been present at the April 24 meeting due to travel leave.

Upon motion of Councilmember Coyle, duly seconded and passed by a vote of 3-0, the minutes of Meeting No. 18-89 (April 25, 1989) were approved as written. Councilmember Robbins abstained from the vote since he had not been present at the April 25 meeting due to travel leave.

Re: Appointments

Upon motion of Councilmember Coyle, duly seconded and unanimously passed, Mayor Duncan appointed Debra Rosenberg to serve as an at-large member of the Landlord-Tenant Affairs Commission.

Re: Consent Agenda

- A. Approval of waiver for on-site Storm Water Management for the property at 204 Mannakee Street and 703 Beall Avenue in the Watts Branch drainage area, and acceptance of a \$4,400 contribution for the off-site SWM fund

The developer, Pioneer Associates, plans the construction of two single family houses.

- B. Approval of waiver for on-site Storm Water Management for 1011 First Street, owned by Olinto and Paula Luchi and the acceptance of \$3,000 contribution for the off-site SWM program

A single family home will be constructed on this unimproved site.

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- C. Award of Bid No. 96-89 for the annual street resurfacing program (Smoothseal) to low bidder A.H. Smith Associates, Branchville, for \$45.38 per ton for installing \$265,0000 of resurfacing

This annual contract continues a street surface preventive maintenance program begun in Rockville in 1960.

- D. Approve request for modification to Construction-Commercial, Inc., PO# 17641 with the addition of \$85,778 to allow for removal of asbestos-containing materials in the Civic Center Social Hall prior to scheduled renovation.

- E. Award of contract to CIMAC, Ltd. as the City's representative at a maximum cost of \$24,640 to monitor and test air quality and equipment during the removal of asbestos-containing material at the Civic Center Social Hall

- F. Introduction of Ordinance to Appropriate Funds and Levy Taxes for Fiscal Year 1990. The ordinance sets the budget levels for both the operating budget and the capital budget for FY 1990. The proposed property tax rate is 83 cents per \$100 of assessed valuation

- G. Introduction of Ordinance to amend Section 7-2.17 of Chapter 7 of the "Laws of Rockville", entitled "Sewer Usage Charge."

The Amendment to the ordinance increases the rate from \$2.14 per 1,000 gallons to \$2.25 per 1,000 gallons, effective July 1, 1989.

- I. Transmittal of staff response regarding amusement tax issues.

Upon motion of Councilmember Hovsepian, duly seconded and unanimously passed, the Mayor and Council approved Consent Agenda items A, B, C, D, E, F, G and I.

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Re: Transmittal of City Manager's recommendations for fiscal policies to ensure prudent debt management, fund balance levels, and capital improvement programming.

Councilmember Robbins noted that the policies are excellent and asked if they have been existing practices. Mr. Romer responded that while the concepts are not new, this is the first time they have been consolidated into a comprehensive strategic plan. It was noted that the concept of "pay as you go" would be discussed with other items of the budget. Upon motion of Councilmember Robbins, duly seconded and unanimously passed, the recommendations for fiscal policies to ensure prudent debt management, fund balance levels and capital improvement programming were transmitted.

Re: Transmittal of staff recommendations for neighborhood improvement projects in the Lincoln Park area; adoption of Ordinance to amend Ordinance No. 4-89 appropriating funds and levying taxes for Fiscal Year 1989.

Ordinance No. 12-89

Mayor Duncan noted that this item emanated from the drug forum which the Mayor and Council held the week before.

Upon motion of Councilmember Hovsepian, duly seconded and unanimously passed, Ordinance No. 12-89, to revise and amend Ordinance No. 4-89 appropriating funds and levying taxes for Fiscal Year 1989, was introduced. Upon Motion of Councilmember Hovsepian, duly seconded and unanimously passed, the publication and layover requirements of the Charter were waived for Ordinance No. 12-89. Upon motion of Councilmember Hovsepian, duly seconded and unanimously passed, Ordinance No. 12-89, the full text of which can be found in Ordinance Book 14 of the Mayor and Council, was adopted to revise and amend Ordinance No. 4-89 appropriating funds and levying taxes for Fiscal Year 1989 to provide funding in the amount of \$15,000 for additional lighting at Lincoln Terrace and David Scull and to appropriate from the Property Management Fund the amount of

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\$50,000 to install fencing in the Lincoln Park area to enhance the drug enforcement efforts.

Re: Adoption of an Ordinance to amend Chapter 14 of the "Laws of Rockville" entitled "Building Code", Section 1-401, so as to amend the 1987 BOCA National Building Code to require automatic fire suppression systems in certain new residential buildings and to provide for some construction changes in conjunction with this requirement

Ordinance No. 13-89

At a work session on fire and rescue services, the Mayor and Council discussed proposed amendments to the Building Code to require residential fire suppression systems in all new hotel/motel and apartment buildings, and in residential townhouses where there are three or more units attached. Originally the ordinance mandating these requirements was to be effective July 1, 1989, but, upon staff recommendation and Mayor and Council discussion, it was agreed that the ordinance would become effective June 1, 1989.

Councilmember Coyle moved to amend the Ordinance to change the effective date from July 1, 1989 to June 1, 1989, which motion was duly seconded and unanimously passed. Upon motion of Councilmember Coyle, duly seconded and unanimously passed, Ordinance No. 13-89, the full text of which can be found in Ordinance Book No. 14 of the Mayor and Council, was adopted, as amended, to amend Chapter 14 of the "Laws of Rockville" entitled "Building Code", Section 1-401, and the 1987 BOCA National Building Code to require automatic fire suppression systems in certain new residential buildings and to provide for some construction changes in conjunction with this requirement.

Councilmember Coyle thanked John Best, County Fire Marshal, for his support and indicated that Rockville is one of the first municipalities in Maryland to adopt fire suppression regulations. Mayor Duncan noted that Councilmember Coyle has been the

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conscience of the Mayor and Council in this endeavor and that staff would be coming back at a later time with other recommendations for changes to the fire code.

Re: Adoption of Ordinance to grant Zoning
Map Amendment Application M-53-88,
Joseph A. Lynott, Attorney for J.A.J.
Research One Limited Partnership,
Applicant

Ordinance No. 14-89

The application covers a 3.298 acre record lot (Lot 10, Block "A", Washington National Industrial Park). The parcel is improved with a three-story, 41,600 square foot research and development building and associated parking approved under Use Permit U-672-74 in 1974. The Use Permit file indicates that the parcel is somewhat underutilized; therefore, some additional development may be anticipated if the zoning reclassification is approved. Based upon a detailed analysis, the Planning Commission and staff have recommended approval of this zoning reclassification. The Mayor and Council held a public hearing on this application on March 20, 1989.

Upon motion of Councilmember Hovsepien, duly seconded and unanimously passed, the Mayor and Council adopted Ordinance No. 14-89, the full text of which can be found in Ordinance Book No. 14 of the Mayor and Council, to grant Zoning Map Amendment Application M-53-88. The applicant, Joseph A. Lynott, Attorney for J.A.J. Research One Limited Partnership, has requested this zoning change for a parcel of land at the northwest corner of Research Boulevard and Research Court from I-2, Light Industrial, to I-3, Industrial Park.

Re: Adoption of Ordinance to grant Zoning
Text Amendment Application T-92-88,
Farid Srour, Applicant

Ordinance No. 15-89

The applicant, Farid Srour, seeks to redevelop an O-1 zoned property with a project that would consist of office and apartment uses and some retail uses. A limited amount of retail use is permitted in the zone, but residential use is not. The

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application also stipulates that no increase in floor area ratio (FAR) or building height will be permitted with the inclusion of residential uses. Both the staff and Planning Commission have recommended approval with a modification to add a limit to the residential density to a maximum of 60 units per acre. The Mayor and Council held a public hearing on this application on March 20, 1989.

Upon motion of Councilmember Robbins, duly seconded and unanimously passed, the Mayor and Council adopted Ordinance 15-89, the full text of which can be found in Ordinance Book No. 14 of the Mayor and Council, to grant Zoning Text Amendment Application T-92-88, to allow multi-family dwellings as permitted uses in O-1, Office Building Zone.

Councilmember Hovsepien commented that she was pleased to see this going forward inasmuch as housing is a crucial element these days and that this is one effort that would allow more housing to be built in the city.

Re: Consideration of Preliminary Draft
of Shady Grove Study Area Master Plan
Amendment to develop testimony for
Planning Board Public Hearing on May
23, 1989

The Preliminary Draft of the Gaithersburg Vicinity Master Plan Amendment, Stage III, for the Shady Grove Study Area will be the subject of a Public Hearing on May 23, 1989, before the Montgomery County Planning Board. Since the study area is adjacent to the City and contains two major parcels within Rockville's Maximum Expansion Limits (King and Thomas Farms), it is important that the City express its opinions on the Plan at every opportunity. The testimony of the Mayor and Council will represent the City's official position on the Plan.

Mr. Romer referred the Mayor and Council to the document in the brief book, suggesting that the Planning Commission's review of the proposed plan form the basis for the City's testimony at the May 23 hearing.

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Mayor Duncan noted that this would be initial testimony and the City should reserve the right to make other recommendations at a future time. A transmittal to this effect should come from the City Manager.

Councilmember Coyle thanked the Planning Commission for the document and both he and Councilmember Hovsepian expressed concern regarding the alignment of Great Seneca Highway and Ritchie Parkway and the designation of Gude Drive as a high occupancy vehicle lane network. Mr. Romer indicated that this concern would be underscored.

Councilmember Robbins stated his support for the emphasis on housing, particularly garden apartment-type housing.

With respect to transfer of development rights, Mayor Duncan noted that the City needs to be a little firmer. The City Attorney has been consulted with respect to the fact that TDRs present a problem when dealing with different jurisdictions. Both Councilmember Hovsepian and Mayor Duncan emphasized that the lands within the City's Maximum Expansion Limits should not be designated as TDRs. Mayor Duncan thanked the Planning staff and the Planning Commission for their review.

Upon motion of Councilmember Coyle, duly seconded and unanimously approved, staff was instructed to prepare the testimony for the May 23 Planning Board hearing in accordance with the recommendations of the Planning Commission and emphasizing the changes so noted by the Mayor and Council.

Re: Review and approval of preliminary construction and design drawings for the development of the Courthouse Square by C.M. Whalen

The Agreement with C.M. Whalen requires the City to notify the developer of its approval or disapproval of the preliminary drawings within 30 days of their receipt.

Architect Barry Dunn presented the preliminary drawings to the Mayor and Council and responded to their questions regarding the increase in floor levels from the

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original proposal, vehicular use on Middle Lane, ingress and egress of the parking garage, pedestrian access and safety, the relationship between the city and Mr. Whalen on traffic mitigation.

Mayor Duncan noted that the Historic District Commission had requested detailed architectural plans. Mr. Dunn responded that the next cycle is the more detailed elevations, and it was agreed that the architect could submit same in the future for approval by the Mayor and Council.

The City Attorney noted a technical point regarding the elimination of the linear park easement and urban design control. Staff felt that eliminating the easement would not present a problem. Approval could be preliminary subject to modifications when architectural elements are brought back to the Mayor and Council for approval. Mr. Glasgow noted that a letter would be sent to Mr. Whalen and Mr. Lynott stating the steps to be taken for approval of the architectural elements and the filing of a use permit application within thirty days of tonight's meeting.

Mayor Duncan read into the record the following statement from Councilmember Abrams who was absent on travel leave:

"I had planned to attend tonight's meeting but business travel will prevent my attendance. However, I'd like to comment on Agenda Item #17, the review and approval of the preliminary construction and design drawings for the development of the Courthouse Square by C.M. Whalen.

"I wholeheartedly support the project design and preliminary plans submitted by Mr. Whalen. This site, which all of us recognize is of paramount importance to the redevelopment of our Town Center, is something I have personally worked on since 1980. I am impressed with Mr. Whalen's concept and wish to join in the City Manager's urging that the Planning Commission understand and respect the Mayor and Council's concern for this parcel. Issues

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regarding traffic impact on this site are secondary in the review process for the individual parcel and are of citywide concern which merit consideration by the Mayor and Council. I would hope that the Planning Commission remains cognizant of this and does nothing to hinder the successful completion of this project as it exercises its ministerial functions during the Use Permit process.

"I further believe that any mandatory application of the standard traffic methodology by the Planning Commission during the Use Permit process would be inappropriate in this case. We specifically directed that the standard methodology would be advisory with regard to Town Center and I hope that my comments and those prepared by the City Manager give the Planning Commission good direction as to exactly what we meant. The economic and social development significance of the successful completion of the Courthouse Square site, in my judgment, far outweighs other considerations.

"Please make these comments a part of the record of tonight's meeting."

Mayor Duncan asked the City Manager if any recommendations had been issued to the Planning Commission, and Mr. Romer responded that only the briefing materials had been submitted.

Upon motion of Councilmember Coyle, duly seconded and unanimously passed, the preliminary plans, as submitted, for the development of the Courthouse Square Site were approved provided that the developer would submit to the Mayor and Council a more refined set of preliminary plans and drawings, to include the architectural elements for the site improvements, at a later point in time.

Upon motion of Councilmember Hovsepian, duly seconded and unanimously passed, the Mayor and Council found that the relocation of the linear park easement to the Metro Center Phase III lobby is consistent with the approved and adopted Town Center Urban

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Design Plan.

Upon motion of Councilmember Hovsepian, duly seconded and unanimously passed, the following statement of commitment regarding the development of the Courthouse Square Site was adopted:

"Since the early 1960s, the City of Rockville has been engaged in a continuing effort to upgrade and enhance its downtown area. In doing so, it has undertaken an urban renewal project, created new zones, adopted an ambitious urban design plan, and expended considerable sums of money on infrastructure, architecturally pleasing public areas, period lighting, special events, etc. The Mayor and Council now conduct monthly Town Center Roundtables to obtain ideas and support from the business community and from county officials in dealing with Town Center issues.

"The goal of the ongoing effort to revitalize the Town Center has always been to provide a viable and attractive downtown that generates activity throughout the day and into the evening. The mixed-use development proposed by C.M. Whalen represents an important step in achieving that long sought goal.

"Enthusiasm for the Whalen proposal has been high since it was first presented in the spring of 1988. Even at first glance, it was apparent that the proposal satisfied the objectives of the Town Center Urban Design Plan that Rockville had been trying to achieve at that location, without success, for many years.

"The residential, retail and office components combined will provide the continuous human scale activity that has long been a goal. Some 135 apartments will bring a live-in population that will help instill a sense of community in that area.

"The developer's architect, who it must be noted contributed significantly to the preparation of the urban design plan, has maintained his original vision for the area through building appearance, siting, and the harmonious blending of public and private space.

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"Having finally assembled those long sought elements in one package, it is incumbent on Rockville officials, at all levels, to join with the developer in completing the development process in the most expedient manner possible.

"In the course of undertaking a preliminary review of the effects the project would have on the surrounding area, some problems, primarily with traffic, have been identified. We recognize that there are traffic problems within the Town Center Performance District. To that end, the City will continue, as it has in the past, to identify and/or resolve them over a period of time.

"Much of the solution should be borne by the City itself, through its Capital Improvements Program, because the City, having encouraged the development, should be part of the cure. Some of these projects have already been completed or are underway such as Maryland Avenue improvements, Route 355 improvements, widening the "Mixing Bowl", future intersection improvements, and various Ritchie Parkway improvements.

"The Disposition and Development Agreement by which the land will be conveyed to Mr. Whalen contains an ambitious development schedule which was prepared for the mutual benefit of both the City and the developer. That schedule calls for construction to begin by October 1, 1989, a goal that is achievable if both the City and the developer work together in a concerted effort to meet it.

"Mr. Whalen has met the first step in the schedule by bringing to the City, within 30 days, preliminary plans for review and approval. The City has met the second step in the schedule by approving those plans within the required 30 days.

"Having completed the first two steps in the schedule, an accelerated version of the regular development approval process from use permit through building permit must be completed. In order to meet the October 1, 1989 construction date, the Mayor and Council is committing all the resources of the City of Rockville, elected and appointed officials as well as staff, to work closely with the developer and his team

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to secure this long awaited element in the revitalization of the Rockville Town Center."

Mayor Duncan asked that the statement of commitment be transmitted by memorandum from the Mayor and Council to the Planning Commission.

Re: FYI/Correspondence

Councilmember Hovsepian commented on the need to be ready with the appropriate documents should the County adopt the recommendation regarding quarterly levy of property taxes. The City Attorney advised that the County has approved the quarterly tax levy and the Mayor and Council was advised that an appropriate resolution would be prepared for introduction at the Mayor and Council meeting of May 22 to bring the City's charter into conformity with the County's law.

Councilmember Hovsepian noted the letter from Roald Schrack regarding CATV. Mayor Duncan stated that a letter would be sent to the President of the Board of Directors of MCT based upon Mr. Schrack's letter.

Councilmember Hovsepian commended Sgt. Eric Waldt for his commitment to the public.

Councilmember Robbins commended the City Manager and staff for the quarterly rent increase report which was so easy to follow.

Councilmember Coyle commented on the update on carnival grounds development, and expressed his appreciation for the comment on the Standard Traffic Methodology, noting that streamlining the traffic analysis is fine as long as we can maintain its significant development review usefulness.

Mayor Duncan noted the letter from Rick Ferrara, Director of Montgomery County's Department of Housing and Community Development, in response to the City's request to recapture CDBG funds. The corrected figure is a little over \$36,000, and the County is forwarding the funds to the City for transferral to the Rockville Housing Authority.

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Re: New Business

Councilmember Hovsepian noted the request from the Board of Supervisors of Elections to add language regarding newly annexed property. Mr. Glasgow responded that he would develop language which will be brought back to the Mayor and Council on May 22 when the changes to the election ordinance are scheduled for adoption.

Councilmember Coyle commented on how well the Rockville Police mixed with the people at Rockville Day and congratulated the officers who were on duty.

Re: Executive Session

There being no further new business to discuss, the Mayor and Council convened in Executive Session at 9:42 p.m., to discuss personnel and land disposition matters.

Re: Adjournment

There being no further business to come before the Mayor and Council, the meeting was adjourned at 10:16 p.m., to convene again in Worksession at 7:30 p.m. on May 10, 1989, or at the call of the Mayor.